



California Public Utilities Commission

505 Van Ness Ave., San Francisco

FOR IMMEDIATE RELEASE**PRESS RELEASE**

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CPUC INVESTIGATIONS IN Q3 2013 RESULT IN ENFORCEMENT ACTIONS AND FINES IMPOSED ON VARIOUS LIMOUSINES, SHUTTLES, AND BUS COMPANIES

SAN FRANCISCO, October 31, 2013 – The California Public Utilities Commission (CPUC), in its ongoing commitment to safety and consumer protection, took a number of actions during the third quarter of 2013 to protect consumers from illegally operating passenger carriers.

The CPUC took the following enforcement actions against limousine, bus, and shuttle companies for violations of the Public Utilities Code and CPUC rules and regulations, including General Orders (GO) 115-F and 157-D.

Administrative Citations

Eight companies were cited and fined a total of \$ 21,500 for one or more of these violations:

1. Advertised a revoked permit number.
2. Failed to enroll and/or pre-employment test drivers in a mandatory drug and alcohol program.
3. Failed to enroll drivers in the Pull Notice program of the Department of Motor Vehicles (DMV).
4. General Order 157-D violation (failed to maintain a current equipment list, no sub-carrier agreement, or incomplete waybills).
5. Operated without a valid authority (suspended or unlicensed).
6. Operated vehicles that are not insured at the required minimum level of public liability and property damage insurance.
7. Failed to properly report gross revenue earned.
8. Failing to respond to consumer complaints

The companies that were cited are:

1. ECKO Transportation Inc. dba ECKO Limo and Sedan Service (TCP 25379)
2. Platinum Limo & Sedan, Carson (TCP 17630)
3. Kurdistan Transportation, El Cajon (TCP 28384)

4. Marie Louise Joiner dba Luxury Limousine Service, Ceres (TCP 28312)
5. Rock Star Luxury Limos LLC, Turlock (TCP 23583)
6. ATP Enterprises Inc., dba Wings Limousine, Los Angeles (TCP 20044-B)
7. Fox Express LLC, Lynwood (PSC 21536)
8. Aleksandr Likhтерman LLC dba Lotus Transportation Group, Irvine (PSG 20988)

Criminal Actions

Eslami Naghi dba Del Mar Shuttle, Del Mar, (TCP18713): The San Diego County District Attorney's Office filed a two-count misdemeanor complaint in San Diego Superior Court for violations of PU Code 5379 and 5391, operating with a suspended permit and liability insurance violation.

UPDATE - Jesus Beltran dba Lorena's Limousine, Oxnard, (TCP 22340 Revoked): The Ventura County District Attorney's Office filed a three-count misdemeanor complaint for violations of PU Code, which included operating and advertising after revocation of CPUC authority. The carrier pleaded Not Guilty.

UPDATE - Avolar Limousine Service Inc., Danon Frear dba Avolar Limousine Service Inc., Los Angeles (TCP 23280 Revoked): The Los Angeles City Attorney's office filed a 32-count misdemeanor complaint for violations of PU Code 5371, 5379, 5411, 5414.5; Business and Professions Code 17500; and Penal Code 484(a), which include operating without CPUC authority; advertising without CPUC authority; misleading advertisements; and petty theft. Under the same case number, the City Attorney also filed misdemeanor charges against two licensed carriers involved with Avolar and Danon Frear, Hyros Corporation dba Platinum Style Limousine, Ayrapet Kasabyan, President of Hyros Corporation (as individual), North Hollywood and Armenuhi and Asatur Galadjian (husband and wife) dba Millenium Limousine, Glendale. The charges filed against these companies include violations of PU Code Section 5411 and General Order 157 D: failure to execute a sub-carrier agreement describing services to be provided; failure to possess a waybill; failure to keep records, namely waybills for three years; violations of business and professions code of misrepresenting the size of vehicle; and violations of the penal code of petty theft. On June 12, 2013, Mr. Frear was sentenced to 90 days in county jail. Sentencing was suspended and he was given 36 months to comply with the following in lieu: Ordered to shut down Avolar Limousine and not to have any interest in any charter party as defined by the CPUC Code section 5360 directly or indirectly. Avolar was ordered to pay restitution to consumers. Millennium Limousine Services, Inc. was ordered to pay restitution to a consumer; not attempt to dissolve, transfer ownership or title, etc.; or remove any officers without the consent of the court. The carrier was ordered not to provide any transportation services as a charter party sub-carrier as described in the CPUC's General Order 157-D, section 3.04 unless the carrier maintains written agreements with any sub-carrier, verify that such carrier has valid authority with the CPUC, and always obtain waybills of any services contracted with any contracted carrier.

Phone Disconnections

As part of its ongoing efforts to clamp down on illegal transportation companies, the CPUC had telephone service shut off to the following four charter party carriers operating in

California without authority. These companies continued to advertise and hold themselves out to engage in the business of transporting passenger, notwithstanding CPUC staff directives to immediately cease and desist unlawful acts and to obtain a transportation charter party permit.

Yevgeny Mindlin dba San Francisco Prestige Limos, San Francisco; San Diego Prestige Limos, San Diego; LA Prestige Limos, Los Angeles (Unlicensed): The Carriers ignored a cease and desist notice sent on May 21, 2013, and continued to advertise transportation business, offering stretch limousines, SUVs, and buses. On July 30, 2013, CPUC staff obtained a Finding of Probable Cause signed by a San Francisco County Superior Court Judge. The order finds that telephone service at the numbers advertised were being used to violate criminal laws in the State of California.

Rick M. Apodaca dba Platinum Luxury Limo (unlicensed): The carrier advertised and offered charter-party services on the Internet without having obtained a permit. The advertisement listed two phone numbers. Notwithstanding a prior telephone disconnection on June 13, 2013, and the CPUC staff's cease and desist letter directing the carrier to immediately cease all unlawful advertisements and operations, the carrier continued to violate the law. On September 27, 2013, CPUC staff obtained a Finding of Probable Cause signed by an Orange County Superior Court Judge ordering the disconnection of telephone service to the numbers advertised and used by carrier to violate criminal laws in the State of California.

Enforcement Actions at Los Angeles World Airport (LAWA):

Number of citations issued by LAWA police (unlicensed operations only)	22
Number of vehicles impounded	15

Official Notices

Five companies were issued an Official Notice for one or more of these violations:

1. Engaged drivers prior to enrollment in the DMV pull notice and drug and alcohol programs
2. Advertised and operated without authority (prior to issuance, expired, or suspended)
3. Conducted operations at an airport without holding an airport permit
4. Engaged drivers without workers' compensation insurance on file and in effect
5. Failed to include TCP authority number in advertisements
6. Failed to update equipment list
7. Incomplete or no waybills
8. Knowingly and intentionally filed a false report that understates revenues and fees

Companies receiving an Official Notice:

- David Thompson dba Napa Valley Wine Tours (TCP 30708)
- Gerardo Rosas, South San Francisco (TCP 20884)

- Ashley Marie Kasper dba Twin Rivers Limousine (TCP 30373)
- John Agatep dba Tri City Shuttle, Carlsbad (unlicensed)
- Muhammad A. Hayat dba Malik International, Costa Mesa (TCP 24283)

Refunds and Settlement Claims

Four companies agreed to refund monies to consumers for service related complaints.

1. Rockstar Limo, LLC dba Rockstar Limos, San Diego (TCP 21398).
2. Rideshare Port Management LLC dba Prime Time Shuttle (PSG 11415)
3. Quality Assurance Travel, Inc., San Jose (PSG 19181)
4. Rideshare Port Management LLC dba Prime Time Shuttle (PSG 11415)
- 5.

Cease and Desist Notices

The following 25 companies were issued a cease and desist notice for the violation of operating and/or advertising without a valid charter-party authority (unlicensed, suspended, revoked, denied, or expired):

1. RidePal, San Francisco (Unlicensed)
2. John Agatep dba Tri-City Charter, Carlsbad (Unlicensed)
3. Kerry Berman dba Kerry Berman's Desert Eco Tours, Palm Desert (Unlicensed)
4. Seki Shiho dba Magical Adventure Balloon Rides, Temecula (PSG 25497)
5. David Smith dba Shuttle Smith Adventures, Aptos (Unlicensed)
6. Alfredo Ponce, Escondido (TCP 26348)
7. Bay Limousine LLC, San Francisco. (TCP 19796)
8. Debra Welsh dba Motofoto Tours, Let's Roll Designated Drivers & Wine Tours, San Rafael (Unlicensed)
9. City Express, Oakland (Revoked)
10. Jay Jordan, San Bernardino (Unlicensed)
11. Ryan McGorry dba Napa Driver Tours (Unlicensed)
12. In-Custody Transportation Inc., San Dimas (TCP 26558)
13. Luxury Sports LLC, La Mirada (TCP 26106)
14. Boy Toy Entertainment, Los Angeles (Unlicensed)
15. Lifestyle Limousines Corporation, San Diego (TCP 18741)
16. Mr. Smith, Napa Valley Wine Tour Drivers (Unlicensed)
17. Luxe Transportation Company LLC, San Diego (TCP 28472)
18. Syed Gali Jafri dba The Bay Limo, Milpitas (TCP 25972)
19. Fox Express LLC, Lynwood (PSC 21536)
20. Starlite Limo LLC, Sacramento (TCP 17044 Suspended)
21. Clarisa Tapia dba Roadrunner Shuttle, Indio (Unlicensed)
22. Michael Brown dba Festibus, Indio (Unlicensed)
23. YCDC Inc. dba Elite Union Transportation, Garden Grove (TCP 29491)
24. SFLT Inc. dba Industry LB, San Diego (TCP 25383)
25. Leones Tours LLC, Santa Ana (PSC 26019)

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